

SEP 30 2014

A091 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Raul RODRIGUEZ

CRIMINAL COMPLAINT

Case Number: C-14-1037M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 29, 2014 in Brooks County, in the
(Date)

Southern District of Texas defendant, **Raul RODRIGUEZ**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
 I further state that I am a(n) Special Agent and that this complaint is based on the
 following facts:

See Attached Affidavit of ICE Special Agent **Douglas MacQuarrie**

Continued on the attached sheet and made a part of this complaint:

Yes No


Signature of Complainant

Douglas MacQuarrie

Printed Name of Complainant

Sworn to before me and signed in my presence, and probable cause found on

September 29, 2014

Date

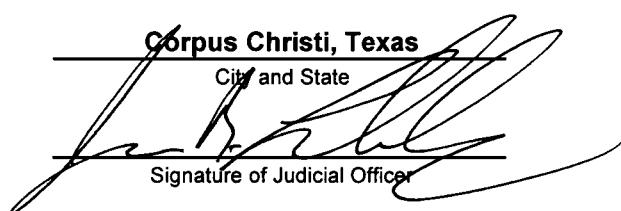
Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State


Signature of Judicial Officer

AFFIDAVIT

On September 29, 2014, at approximately 3:15 pm, Border Patrol Agent (BPA) Horacio Espinoza and BPA Jose Guzman were traveling southbound on Highway 281 several miles north of the United States Border Patrol checkpoint. BPA Espinoza and Guzman were off duty in a personally owned vehicle. Agents observed a white, Nissan, Pathfinder, Texas license plate BWZ 9375, slowly pull over to the side of the highway in front of them. Agents observed the vehicle come to a stop and then observed several subjects run from the brush area and quickly enter the passenger side of the vehicle. Agents slowed down their vehicle speed and began following the white, Nissan, Pathfinder. BPA Espinoza and BPA Guzman are familiar with the area and possessed knowledge that the area was directly north of the Falfurrias Border Patrol checkpoint and a common alien smuggling route.

BPA Espinoza contacted the Falfurrias Border Patrol Station by radio and advised of their observations. BPA Espinoza and BPA Guzman continued to follow the Nissan, Pathfinder. Agents observed the driver of the vehicle enter a pass through and turn northbound onto Highway 281. Agents continued to follow the vehicle until they observed marked Border Patrol Vehicles directly behind the suspicious Nissan, Pathfinder. Agents from the Falfurrias Border Patrol Station and Falfurrias Police Department stopped the vehicle in the area of Highway 281 and FM 281, near the City of Falfurrias.

Officer E. Gonzalez, Falfurrias PD and Border Patrol Agents identified the vehicle occupants and determined that there were six passengers in addition to the driver. Border Patrol Agents interviewed the passengers and determined that each individual was present in the country illegally. Five of the six passengers were citizens of Honduras and one was a citizen of Mexico. Agents identified the driver as Raul RODRIGUEZ. RODRIGUEZ was identified as a Lawful Permanent Resident, born in Cuba. Border Patrol Agents arrested all occupants and transported them to the Falfurrias Border Patrol Station for processing.

BPA Gerardo IBARRA and BPA Mario Silva interviewed Yaqueline LOPEZ-Funez. LOPEZ-Funez stated to agents that she was born in Honduras and had crossed into the United States on September 22, 2014. LOPEZ-Funez crossed the Rio Grande River with several other undocumented aliens. LOPEZ-Funez indicated that she was picked up by a vehicle and taken to a stash house in an unknown city. LOPEZ-Funez explained that she was then picked up with six other individuals, dropped off in the brush and told to walk north. LOPEZ-Funez further explained that the group walked for two days and were then picked up by a white, truck. LOPEZ-Funez was shown a photographic line-up, containing six individuals. LOPEZ-Funez reviewed the line-up and selected the photograph of Raul RODRIGUEZ. LOPEZ-Funez was later interviewed by Special Agent (SA) Doug MacQuarrie and indicated that she was sitting in the rear seat, behind the front passenger seat and observed RODRIGUEZ from that position. LOPEZ-Funez was unable to identify a brush guide in the group of subjects apprehended.

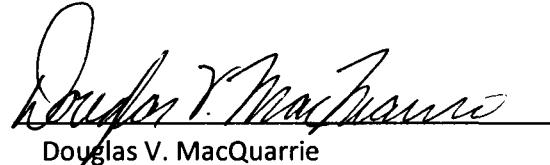
BPA agents later spoke with Rodolfo JAIMES-Vera. JAIMES-Vera stated to agents that he crossed into the United States on September 25, 2014 and was taken to a stash house in McAllen, TX. JAIMES-Vera recalled being dropped off in the brush two days prior and walking with the group, prior to be picked up by a white, Truck. JAIMES-Vera later explained that there were brush guides with their group, but the

guides had abandoned them, prior to being picked up. Once the vehicle arrived and pulled to the side of the road near them, he and the others quickly jumped inside. JAIMES-Vera stated to agents that he sat in the front of the vehicle near the driver. BPAs displayed a photographic line-up, containing one photo of the vehicle driver. JAIMES-Vera quickly identified Raul RODRIGUEZ in the line-up as the vehicle driver.

BPA Ibarra and BPA Silva interviewed Raul RODRIGUEZ at the Falfurrias Border Patrol Station. RODRIGUEZ explained to agents that he spoke better Spanish than English. BPA Ibarra read RODRIGUEZ his advice of rights from a Department of Justice Rights Waiver Form. BPA Ibarra used the Spanish version. RODRIGUEZ read, signed and waived his rights, indicating that he was willing to speak with agents. Raul RODRIGUEZ explained to agents that he was contacted by a female subject he only knows as "Sylvia". RODRIGUEZ indicated that "Sylvia" asked him to drive to Falfurrias, TX and pick up a couple of people. RODRIGUEZ explained that "Sylvia" stated he would be well compensated for his time. RODRIGUEZ stated that he agreed and drove to Houston and rented the white, Nissan, Pathfinder. RODRIGUEZ further explained that he then drove towards the Rest Area off Highway 281, Falfurrias, TX. Once in the area, RODRIGUEZ indicated that he received a phone call as to where to pick-up the subjects. RODRIGUEZ pulled his vehicle to the side of the road and observed the subjects running towards his vehicle from an abandon house. RODRIGUEZ stated that once the subjects were in the vehicle, he began driving and was stopped by the police shortly after.

SA MacQuarrie interviewed RODRIGUEZ at approximately 10:46 pm on September 29, 2014. RODRIGUEZ stated that he was going to be compensated by "Sylvia", but he didn't know how much. RODRIGUEZ also explained that once the subjects entered his vehicle he knew they were illegal aliens.

AUSA Chad Cowan was briefed on the particulars of the case and accepted the case for the prosecution of Raul RODRIGUEZ for Title 8 USC 1324.



Douglas V. MacQuarrie
Special Agent
Homeland Security Investigations

SWORN TO AND BEFORE ME, PROBABLE CAUSE FOUND
THIS 30th DAY OF September 2014.



Jason B. Libby, United States Magistrate Judge